

REMARKS

Amendments to the Claims

Upon entry of the foregoing amendment, claims 1-10, 18-21, 25-26, 28-29, and 37-43 are pending in the application. Of the pending claims, claims 1, 18 and 37 are independent.

Claim Rejections under 35 U.S.C. § 112

The Examiner has rejected claims 5, 22-24 and 27 under 35 U.S.C. 112, second paragraph, as being indefinite for various reasons. Claim 5 has been replaced with a claim not having the indefinite limitations. Claims 22-24 and 27 have been cancelled. Accordingly, applicant requests withdrawal of the rejection.

Rejections under 35 U.S.C. § 103

The Examiner has rejected claims as being unpatentable primarily in view of the Japanese patent JP 06-108,309 (JP '309).

A. The Claimed Invention

As set forth in the amended and new claims, the invention is a magnetic article and a method of making the article. The article comprises a magnetic fabric including a plurality of composite magnetic fibers; each of the composite magnetic fibers comprising a polymer fiber matrix and a plurality of magnetic particles encapsulated in the polymer fiber matrix. The magnetic fabric is adapted to create a magnetic field distribution around the magnetic article.

B. The Prior Art

The JP '309 patent discloses a magnetic fiber having a magnetic core and a sheath. The magnetic core may be a polymeric material having magnetic particles.

C. The JP '309 Patent Applied to Claims 1, 18 and 37

Applicant respectfully submits that the JP '309 patent does not teach each element of the amended and new claims. Specifically, the JP '309 patent does not teach the element of the magnetic composite fiber comprising "a polymer fiber matrix and a plurality of magnetic particles encapsulated in the polymer fiber matrix". In the patent, as well as all of the prior art of record, none of the magnetic composite fibers have a plurality of magnetic particles encapsulated in a polymer fiber matrix. Rather, the magnetic particles of JP '309 are randomly dispersed within the polymer layer composite B. The prior art does not teach or disclose the polymer fiber matrix as claimed in claims 1 and 18.

New claim 37 is drawn to a magnetic composite fiber having a length and a longitudinal axis. The magnetic composite fiber comprises a plurality of magnetic fibers extending substantially parallel to the longitudinal axis, each of the magnetic fibers having magnetic properties, and a fiber matrix adapted to encapsulate the plurality of magnetic fibers. The magnetic particles of JP '309 are randomly dispersed within the polymer layer component B. The magnetic fibers of the claimed invention, on the other hand, allow for the creation of a uniform magnetic field or a concentrated magnetic field at a particular location in the magnetic article made up of the magnetic composite fibers.

Because the JP '309 patent does not teach these elements, independent claims 1, 18 and 37 are not anticipated by the JP '309 patent.

H. The JP '309 Patent Applied to the Dependent Claims

Dependent claims 2-5 are allowable at least for the reasons stated above with respect to claim 1. In addition, each of the claims 2-5 requires control of the magnetic field created by the magnetic composite fibers that is not disclosed in the prior art. Each of claims 2-5 is allowable for this additional reason.

Claims 7-9, 25-26 are allowable at least for the reasons stated above with respect to claims 1 and 18. In addition, each of the claims 7-9, 25-26 include an additional magnetic structure not disclosed by the prior art. Each of claims 7-9, 25-26 is allowable for this additional reason.

Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding rejections and that they be withdrawn. It is believed that a full and complete response has been made to the outstanding Office Action, and as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, she is invited to telephone the undersigned at the number provided.

Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'D. Deal', is written over a horizontal line.

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